

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

UNITED STATES OF AMERICA)	CR No.: 3:11-2064-JFA
)	
v.)	ORDER
)	
DARRELL T. WASHINGTON)	
)	
_____)	

The defendant, through counsel, has appealed to this court challenging the Magistrate Judge's denial of the defendant's request for bond. The bond matter was initially referred to the Magistrate Judge who conducted a hearing and received evidence and arguments from counsel. At the conclusion of the hearing, the Magistrate Judge ruled as follows:

Having heard the totality of the evidence presented today, and the pretrial services report as well as all the argument presented by counsel today, and having carefully considered all of the factors in 18 United States Code Section 3142(g), the court observes that the statutory presumption in favor of detention applies with regard to both of these defendants and finds based on all of the information available to the court at this time that the defendants have not rebutted that presumption and find that no condition or combination of conditions will reasonably assure the appearance of the defendants, and particularly the safety of the community. I therefore find both these defendants should be detained pending trial.

(Tn. at 41).

In the motion for reconsideration, the defendant suggests that a change in circumstances makes bond appropriate in this case. When the appeal/motion was filed, the court required the defendant's attorney to provide the court with a copy of the transcript of the bond hearing before the Magistrate Judge.

The court has carefully reviewed the proceedings before the Magistrate Judge and considered the arguments advanced in the defendant's motion. Having done so, this court is of the opinion that decision of the Magistrate Judge should not be disturbed. The "changed circumstances" that the defendant refers to involve additional information as to the defendant's community involvement and more information about the defendant's family and church. Even considering these new factors, to the extent they were not put before the Magistrate Judge, the court finds that the Magistrate Judge's ultimate decision to deny bond is correct.

Accordingly, the defendant's motion for reconsideration (ECF No. 278) is denied.

IT IS SO ORDERED.

January 5, 2012
Columbia, South Carolina

A handwritten signature in black ink, reading "Joseph F. Anderson, Jr." in a cursive script.

Joseph F. Anderson, Jr.
United States District Judge